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Please find below and/or attached an Office communication concerning this application or proceeding.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 24

Application Number: 09/315,200
Filing Date: May 19, 1999
Appellant(s): WESCHLER, PAUL

MAILED

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Technology Center 2100

Stuart T. Langley
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed April 10, 2003.

(1)   Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly

affect or be directly affected by or have a bearing on the decision in the pending appeal

is contained in the brief.

(3)   Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

(5)   Summary of Invention

The summary of invention contained in the brief is correct.

(6)   Issues

The appellant's statement of the issues in the brief is correct.

(7)   Grouping of Claims

Appellant's brief includes a statement that claims 1-53 stand or fall together and

provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8)   Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9)   Prior Art of Record

US 5,838,970   Thomas   November 17, 1998

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

2.   **Claims 1-53 are rejected under 35 U.S.C. 102(e)** as being anticipated by

Thomas (U.S Patent 5,838,970), hereinafter referred to as "Thomas".

As per claims 1,41, 48 and 49, Thomas teaches "a method for managing a

profile service" (Fig. 2, element 26-26n) comprising:

- "storing at least one true-data attribute in a profile object, said true-data

  attribute includes a true-data key and at least one true-data value field" at Col.

  14 lines 5-65;

- "associating at least one meta-data attribute with said true-data attribute, said

  meta-data attribute includes a meta-data key and at least one meta-data

  value field" at Col. 3 lines 20-30, and Col. 14, Table 4 and Col. 34, Table 7;

- "wherein the meta-data value field describes the associated true-data

  attribute" at Col. 14, Table 4 and Col. 34, Table 7;

- "storing said associated meta-data attribute in said profile object" at Col. 3
  lines 20-30, and Col. 14, Table 4;

- "managing said true-data attribute according to said associated meta-data
  attribute" at Col. 14 lines 28-35 and Table 4, 8.

As per claim 2, Thomas teaches the method as defined in claim 1, wherein the

method further includes: "indicating in said metadata attribute an access privilege of

said true-data attribute" at Col. 13 lines 55-60.

As per claim 3, Thomas teaches: "indicating in said metadata attribute an owner

of said true-data attribute" at Col. 12, table 3.

As per claim 4, Thomas teaches: "indicating in said metadata attribute a group

of said true-data attribute" at Col. 3 line 27.

As per claim 5, Thomas teaches: "indicating in said meta-data attribute a

creation time of said true-data attribute" at Col. 10 line 40.

As per claim 6, Thomas teaches: "indicating in said meta-data attribute a update

time of said true-data attribute" at Col. 10 line 40.

As per claim 7, Thomas teaches: "indicating in said meta-data attribute a

expiration time of said true-data attribute" at Col. 16 lines 10-16.

As per claim 8, Thomas teaches: "identifying said true-data attribute with said

expiration time beyond a profile service time and deleting said identified true-data

attribute from said profile object" at Col. 16 lines 10-16.

As per claim 9, Thomas teaches: "indicating in said meta-data attribute at least

one trigger location of said true-data attribute" at Col. 9 lines 55-65.

As per claim 10, Thomas teaches: "indicating in said metadata attribute a binding flag of said true-data attribute" at Col. 11 lines 5-10.

As per claim 11, Thomas teaches: "indicating in said metadata attribute an assurance level of said true-data attribute" at Col. 13, lines 50-55.

As per claim 12, Thomas teaches: "identifying said meta-data attribute information by a prefix field in said metadata value field" at Col. 32 Table 6.

As per claim 13, Thomas also teaches: "associating at least one profile level metadata attribute to said profile object... " at Col. 24 table 5.

As per claim 14, Thomas teaches: "indicating in said profile level metadata attribute at least one template resource ID of said profile object" at Col. 31 lines 55-65.

As per claim 15, Thomas teaches: "indicating in said profile level metadata attribute an object class of said profile object" at Col. 32 Table 6.

As per claim 16, Thomas teaches: "indicating in said profile level metadata attribute an object ID of said profile object" at Col. 32 table 6.

As per claim 17, Thomas teaches: "indicating in said profile level metadata attribute a binding resource ID of said profile object" at Col. 32, table 6.

As per claim 18, Thomas teaches a profiling service comprising:

- "a plurality of profile objects" at Col. 11 lines 53-65;

- "at least one true-data attribute contained in each of said profile object, said true-data attribute includes a true-data key and at least one true-data value field" at Col. 12, table 3;

- "at least one meta-data attribute associated with said true-data attribute and contained in said profile object, said meta-data attribute includes a meta-data key and at least one meta-data value field, wherein the meta-data value field describes the associated true-data attribute" at Col. 12, Table 3;

- "methods within each profile object to access the user data according to said meta-data attribute" at Col. 13lines 57-60.

As per claim 19, Thomas teaches: "said true-data attribute comprises the user data" at Col.12 Table 3.

As per claim 20, Thomas teaches: "said true-data attribute comprises an external reference to the user data" at Col. 14 lines 30-35.

As per claim 21, Thomas teaches: "at least one true-data attribute binding to another one of said profile objects" at Col. 25 lines 25-50.

As per claim 22, Thomas teaches: "said metadata attribute is identified with a prefix field in said metadata value field" at Col. 32 Table 6.

As per claim 23, Thomas teaches: "metadata key is equated with said true-data key" at Col. 12 table 3 and Col. 14 table 4.

As per claim 24, Thomas teaches: "methods within said profile objects to read and write said true-data attribute" at Col. 16 lines 40-67.

As per claim 25, Thomas teaches: "methods within said profile objects to read and write said meta-data attribute" at Col. 9 lines 40-55.

As per claim 26, Thomas teaches: "methods within the profiling service to set an owner of said true-data attribute" at Col. 13 lines 50-55.

As per claim 27, Thomas teaches: "methods within said profile objects to set an access privilege of said true-data attribute" at Col. 13 lines 55-60.

As per claim 28, Thomas teaches: " methods within said profile object to set a group of said true-data attribute" at Col.3 line 27.

As per claim 29, Thomas teaches: "methods within said profile object to set a creation time of said true-data attribute" at Col. 14, Table 4.

As per claim 30, Thomas teaches: "methods within said profile object to set a update time of said true-data attribute" Col. 14 Table 4.

As per claim 31, Thomas teaches: "method within said profile object to change expiration time of said true-data attribute" 16 lines 10-20.

As per claim 32, Thomas teaches: "methods within said profile object to delete said true-data attribute with said expiration time beyond a profile service time" at Col. 16 lines 10-20.

As per claim 33, Thomas teaches "methods within said profile objects to set a trigger location of said true data attribute" Col. 9 lines 55-65.

 As per claim 34, Thomas teaches "methods within said profile objects to set a binding flag of said true-data attribute" at Col. 24, table 5.

As per claim 35, Thomas teaches "methods within said profile objects to set an assurance level of said true-data attribute" at Col. 25 lines 50-65.

As per claim 36, Thomas teaches: "profile level metadata attribute" at Col. 26 lines 18-25.

As per claim 37, Thomas teaches "methods within said profile objects to set a template resource ID of said profile object" at Col. 31 lines 55-65.

As per claim 38, Thomas teaches "methods within said profile objects to set an object class of said profile object" at Col. 32, Table 6.

As per claim 39, Thomas teaches "methods within said profile objects to set an object ID of said profile object" at Col. 32, Table 6.

As per claim 40, Thomas teaches "methods within said profile objects to set a binding resource ID of said profile object" at Col. 32, Table 6.

As per claim 42, Thomas teaches the following :

- "at least one true data attribute contained in each of said profile objects..." at Col. 14 lines 5-65;

- "at least one meta-data attribute associated with said true-data attribute..." at Col. 3 lines 20-30;

As per claim 43, Thomas teaches: "said meta-data attribute specifies an access privilege of said true-data attribute" at Col. 13 lines 55-60.

As per claim 44, Thomas teaches: "said meta-data attribute specifies an expiration time of said true-data attribute" at Col. 16 lines 10-20.

As per claim 45, Thomas teaches: "a method for deleting said true-data attribute with said expiration time beyond a profile service time" at Col. 16 lines 10-20.

As per claim 46, Thomas teaches: "said meta-data attribute specifies a binding flag of said true-data attribute" at Col. 24, Table 5.

As per claim 47, Thomas teaches: "including at least one profile level meta-data attribute associated to the profile object" at Col. 26 lines 18-25.

As per claim 50, Thomas teaches: "the tangible media comprises a magnetic disk" at Col. 8 lines 55-65.

As per claim 51, Thomas teaches: "the tangible media comprises an optical disk" at Col. 8 lines 55-65.

As per claim 52, Thomas teaches: "the tangible media comprises a propagating signal" at Col. 4 lines 45-50.

As per claim 53, Thomas teaches: "the tangible media comprises a random access memory devices" at Col. 8 line 58.

(11)   Response to Argument

Appellant's invention addresses the problem of "locating resources that are geographically and topologically scattered among components of a distributed computing system" (Appeal Brief, page 5, line 10-13) using a profile service. The profile service includes a hierarchical structure of profile objects. Each profile object contains true-data attributes and meta-data attributes associated with the true-data attributes, where the meta-data attributes can be used to manage the true-data attributes. For convenience, a portion of Fig. 5A of Appellant's specification, which shows a representation of an exemplary profile objects of the Appellant's invention is reproduced below:

500

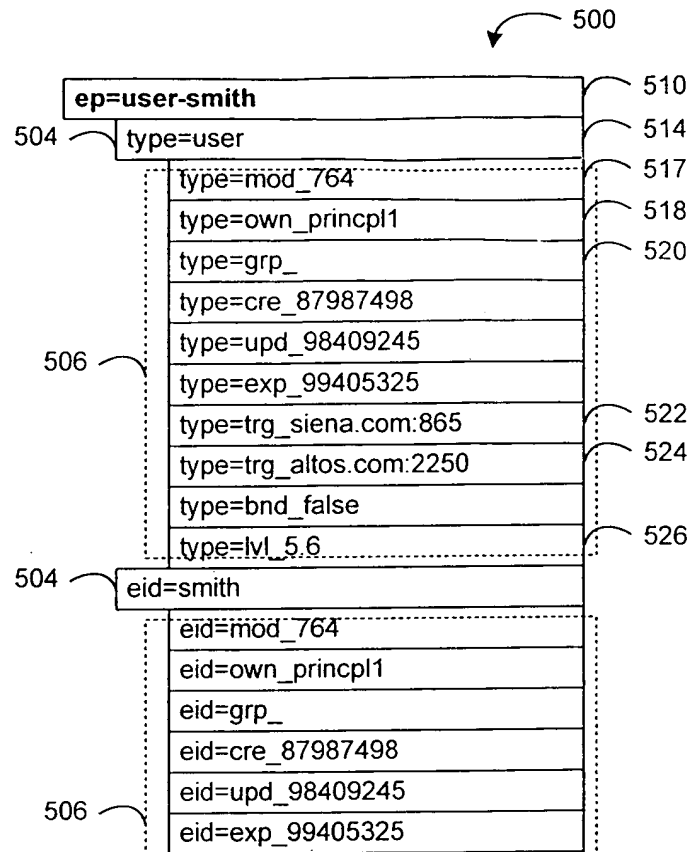| ep=user-smith		510
504 — type=user		514
type=mod_764		517
type=own_princpl1		518
type=grp_		520
type=cre_87987498		
506 — type=upd_98409245		
type=exp_99405325		
type=trg_siena.com:865		522
type=trg_altos.com:2250		524
type=bnd_false		
type=lvl_5.6		526
504 — eid=smith		
eid=mod_764		
eid=own_princpl1		
eid=grp_		
eid=cre_87987498		
506 — eid=upd_98409245		
eid=exp_99405325		

Fig.5A above shows the hierarchical structure of the profile object 500, which

includes true data attribute 504 and associated meta-data attribute 506. Each true-data

attribute 504 contains a key=value pair holding information used by an entity (e.g.,

"type=user".) Each meta-data attribute 506 is associated to the true-data attributes and

contains information which tell the profile engine how to control the true-data attribute

504. According to Appellant's Appeal Brief, page 6 lines 9-13, "One can determine how

a true-data item is to be managed (e.g., who can access the true –data item, when was

it created... who created it... etc.) immediately upon initial access of the true-data item

by examining the associated meta-data attribute(s)." For example,

"type=upd_98409245" is meta-data attribute which tell the last update timestamp of its

associated true-data attribute "type=user".

Similarly, Thomas' invention "is particularly suited to the need of "distributed

computing systems" where system resources, such as networks, computing resources,

computing applications and transmission facilities, are distributed over a geographical

area or divided among several entities" (Thomas, Col. 3, lines 64-67.) Thomas also

uses hierarchical profile object, which contain true-data attributes and meta-data

attributes associated with the true-data attributes, where the meta-data attributes can be

used to manage the true data attributes. A portion of Table 4 of Thomas' specification,

which shows a representation of an exemplary profile object of Thomas's invention is

reproduced below:

<div align="center">

TABLE 4

Implementation Repository

</div>

```
40   Module #1:
         Object Type Entries:
            Object Type #1:
               Search Parameters:
                  Operating System
                  Implementation Preference
                  Network Protocol
45                Hardware Platform
                  Object Type Name
                  Object Type Version
                  Object Broker Vendor
                  Replication Control
                  Last Update Time
50             Last Access Time
               Executable Information:
                  Executable Name
                  Executable Path
                  Executable Storage Location
                  Executable Storage Type
55                Library Path
                  Runtime Library #1:
                     Library Name
                     Library Storage Location
                     Library Storage Type
                  Runtime Library #2:
60                   .
                     .
                     .
                  Runtime Library #n:
            Object Type #2:
                     .
65                   .
                     .
            Object Type #n:
```

Thomas' Table 4 above shows the hierarchical structure of the profile object in which "Object Type #1" corresponds to true-data attribute and the attributes at lower hierarchical levels such as "Object Type name", "Object Type Version", "Last Update Time"...etc., correspond to meta-data attributes associated with "Object Type #1". Similar to meta-data attribute "type=upd_98409245" of Appellant's Fig. 5A, meta-data attribute "Last Update Time" tells the last update timestamp of its associated true-data attribute "Object Type #1".

Appellant argued that "there's no evidence that meta-data attributes in a table are being used to manage a true-data attribute in that same table". On the contrary, as stated above regarding Thomas' Table 4, "Object Type name", "Object Type Version", "Last Update Time"...etc., are meta-data attributes associated with "Object Type #1", and are used to manage Object Type #1. This is very similar to the meta-data attribute "type=upd_98409245" in Appellant's Fig. 5A, meta-data attribute "Last Update Time" tells the last update timestamp of its associated true-data attribute "Object Type #1".

Appellant argued that "what is missing from Thomas is any indication of meta-data that would describe something about the true-data contents of each entry. For example, if Table 1 included an entry that indicated the name "object #1" contains 18 characters, or the name of "object#1" was accessible only to certain users, such an entry would be meta-data". The Examiner submits that, as an example, Table 7 of Thomas clearly shows the relationship between true-data attributes and meta-data attributes and how the meta-data attributes are used to manage true-data attributes. For convenience, a portion of Thomas' Table 7, Col. 34 is reproduced below:

TABLE 7

Service Profile Repositories

```
 5  /USA/WASHINGTON service area:
        Object Type #1 = ACME::VIDEOMAIL
            Search Parameters:
                Object Type Name = ACME::VIDEOMAIL
                Object Type Version = 1
                Replication Control = NORMAL
10          Object Resource Assignmentes:
                Object Storage Information:
                    Server = WAServ20; Database = VMailAA
                Available Object Brokers = Any
                Location Entry Storage Information:
                    Server = WALRServ6; Database = LocRep21
15          Default Attribute Values:
                Creation Attributes:
                    Compression_Type = MPEG
                    Resolution = 300 dpi
                Activation Attributes:
                    Zoom_Ratio = 150%
                    Frames_Per_Second = 32
20  /USA/WASHINGTON/SEATTLE service area:
```

In Thomas' Table 7, "Object Type #1 = ACME::VIDEOMAIL", in the format of key=value pair, corresponds to true-data attribute. Others attributes at lower hierarchical levels correspond to meta-data attributes associated with "Object Type #1", and are used to manage "Object Type #1". For example,

- "Object Type name = ACME:VIDEOMAIL" : describing name of "Object Type #1"

- "Object Type Version = 1" is used to describing version of "Object Type #1";

- "Compression_Type = MPEG" describing compression type of "Object Type #1";

- "Resolution = 300 dpi" describing resolution of "Object Type #1"

Appellant argued that "Thomas never distinguishes or uses the terms "true-data" and "meta-data". Hence logic would dictate that the data repositories in Thomas include either "true-data" or "meta-data", but not both" (Appeal Brief, page 6 lines 25-27). In response to the preceding argument, the Examiner submits that the terms "true-data attribute" and "meta-data attribute" are interpreted based on Appellant's definition provided at page 10 of Appellant's specification as recited below:

- "Attribute – The combination of a key related to one or more values. Frequently

  described as a key=value pair."

- "meta-data – Special data attributes used by a Profile Service to help maintain and

  manage Profiles and user data within a Profiles".

As seen in Thomas' Table 7 above, "Object Type #1=ACME:VIDEOMAIL" fit the

definition for true-data attribute. "Object Type Name=ACME:VIDEO", "Object Type

Version=1", "Compression Type=MPEG" fit the definition of meta-data attribute because

they are special data attributes used by a Profile Service to help maintain and manage

"Object Type#1".

For the above reasons, the rejection of the independent claims 1, 18, 41-42, 48-

49 should be sustained.

Regarding independent claims 2-17, 19-40, 43-47, and 50-53, Appellant argued

that "each dependent claims is believed to be independently allowable because they call for

specific meta-data values that are not shown or suggested in the relied on reference". In

response to the preceding argument, the Examiner notes that Appellant's arguments fail

to comply with 37 CFR 1.111(b) because they amount to a general allegation that the

claims define a patentable invention without specifically pointing out how the language

of the claims patentably distinguishes them from the references.

The examiner submits that, each and every element of the dependent claims

have been rejected and the pertinent parts of the reference relied on have been

specifically point out, as set forth in section (10), Ground of Rejection of this Examiner

Answer. Therefore, the rejection of the independent claims 2-17, 19-40, 43-47, and 50-

53 should be sustained.

For the above reasons, it is believed that the 102 rejection should be sustained.

                                          Respectfully submitted,
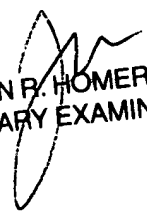
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May 2, 2003

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